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18 LEADPILE LLC and CREDIT PAYMENT SERVICES, INC.

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20 **IN THE UNITED STATES DISTRICT COURT**
21 **DISTRICT OF NEVADA**

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23 FLEMMING KRISTENSEN, individually,) Case No. 2:12-CV-00528-APG (PAL)
24 and on behalf of a class of similarly situated)
25 individuals,) DEFENDANT CREDIT PAYMENT
v. Plaintiff,) SERVICES, INC.'S MOTION TO FILE A
CREDIT PAYMENT SERVICES, INC.,) SUPPLEMENTAL BRIEF IN SUPPORT
a Nevada corporation,) OF MOTION FOR SUMMARY
f/k/a MYCASHNOW.COM INC.,) JUDGMENT
ENOVA INTERNATIONAL, INC.,)
an Illinois corporation,)
PIONEER FINANCIAL SERVICES, INC.,)
a Missouri corporation,)
LEADPILE LLC,)
a Delaware limited liability company, and)
CLICKMEDIA, LLC d/b/a)
NET1PROMOTIONS LLC, a Georgia limited)
liability company,)
Defendants.)

1 Defendant Credit Payment Services, Inc. (“CPS”) by and through its attorneys Sideman &
2 Bancroft LLP (“Sideman”), hereby move this Court for leave to file a supplemental brief in
3 support of LeadPile’s Motion for Summary Judgment (“Motion”) filed on October 24, 2014.
4 CPS’s previous counsel, who filed the Motion, was replaced as counsel on February 5, 2015.
5 CPS’s current counsel, requires additional time to review the briefing by prior counsel and
6 opposing counsel and to submit supplemental briefing on behalf of CPS in support of the Motion.
7

8 WHEREFORE, for the foregoing reasons, Defendant respectfully requests that this Court
9 grant CPS leave to file a Supplemental Brief in Support of CPS’s Motion for Summary Judgment
10 by no later than thirty days from entry of an Order granting this Motion. This will not prejudice
11 the Plaintiff as the Court has yet to rule on the pending Motion for Summary Judgment. Also,
12 there are no deadlines which will be impacted by the Court granting this request.
13

14 DATED: February 18, 2015

HUTCHINSON & STEFFEN

16 By: /s/ Patricia Lee
17 Patricia Lee
18 Attorneys for Defendant CREDIT PAYMENT
19 SERVICES, INC.
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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR
LEAVE TO FILE A SUPPLEMENTAL BRIEF IN SUPPORT OF CPS'S MOTION FOR
SUMMARY JUDGMENT**

I. INTRODUCTION

On October 24, 2014, CPS filed its Motion for Summary Judgment in the instant action. The motion was briefed by both parties. CPS's previous counsel withdrew from this case on February 5, 2015. The deadline for the Parties to file all dispositive motions (including motions for summary judgment) was set for October 24, 2014. Plaintiff was granted leave to file its Motion for Summary Judgment no later than three weeks from January 6, 2015. CPS's current counsel, needs additional time to review the briefing by prior counsel and opposing counsel and to submit supplemental briefing on behalf of CPS if deemed helpful to the Court's consideration of the pending Summary Judgment Motion.

II. ARGUMENT

CPS's new counsel requires additional time to review the previously filed briefs so it can determine whether supplemental briefing would assist the court in reaching an equitable ruling, and, if so, to draft and file a supplemental brief. This requested leave will not prejudice the Plaintiff as the Court has yet to rule on the pending Motion for Summary Judgment. Also, there are no deadlines which will be impacted by the Court granting this request.

III. CONCLUSION

For the reasons set forth above, CPS's request for leave to file a supplemental brief should be granted by this Court.

DATED: February 18, 2015

HUTCHINSON & STEFFEN

By: /s/ Patricia Lee
Patricia Lee
Attorneys for Defendant CREDIT PAYMENT
SERVICES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2015, a true and correct copy of DEFENDANT CREDIT PAYMENT SERVICES, INC.'S MOTION TO FILE A SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT was filed electronically with the clerk of the Court using the CM/ECF system. Notice of this filing will be sent by the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

DATED: February 18, 2015

HUTCHINSON & STEFFEN

By: /s/ Patricia Lee
Patricia Lee
Attorneys for Defendants
CREDIT PAYMENT SERVICES, INC.

After due consideration of Defendant CREDIT PAYMENT SERVICE's ("CPS") Motion for Leave to File Supplemental Briefing in Support of Its Motions for Summary Judgment, it is hereby ordered that:

1. Defendant Credit Payment Service has until _____ to file any supplemental briefing.

DATED: _____, 2015 By: _____
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2015, a true and correct copy of ORDER GRANTING DEFENDANT CREDIT PAYMENT SERVICE'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEFING IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT was filed electronically with the clerk of the Court using the CM/ECF system. Notice of this filing will be sent by the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

DATED: February 18, 2015

HUTCHINSON & STEFFEN

By: /s/ Patricia Lee

Patricia Lee
Attorneys for Defendants
LEADPILE LLC